

REMARKS

This Amendment is being filed in response to the Final Office Action dated December 22, 2006, which has been reviewed and carefully considered.

Claims 1-6, 11, 20-33 are pending in this application, with claims 1, 11, 23, 26, 29, and 31 being the only independent claims. Claims 7, 9, 10 and 12-19 are canceled herein, without prejudice. The Applicant respectfully reserves the right to reintroduce subject matter deleted herein, either at a later time during the prosecution of this application or any continuing applications. Claims 26-33 are added by this Amendment.

Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Office Action, Claim 15 is objected to due to informalities since claims 15 was identified as currently amended when no such amendment was presented. The Applicant appreciates the guidance, however, it is respectfully submitted that the cancellation of claim 15 renders this objection moot.

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Claims 1-5, 7 and 9-20 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,446,261 (Rosser) in view of U.S. Patent No. 6,005,597 (Barrett) and U.S. Patent No. 5,754,939 (Herz). Claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Rosser, Barrett, and Herz, and further in view of U.S. Patent No. 6,177,931 (Alexander). Claims 21 and 22 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Rosser in view of Barrett and Herz in view of U.S. Patent No. 6,614,456 (Rzepkowski). Claims 23-25 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Rosser in view of Rzepkowski. It is respectfully submitted that claims 1-6, 11, 20-33 are patentable over Rosser, Barrett, Herz, Alexander and Rzepkowski for at least the following reasons.

It seems undisputed that "Rosser fails to disclose the one of the multiplicity of axes has an altering mechanism allowing a value associated with a position on the axis to be changed along the axis, wherein at least one of the multiplicity of axis represents ..." (see, Final Office Action, page 4, last paragraph). It should be noted that in FIG. 3, Rosser shows a user profile depicted along

two axis, a "viewing intensity" vertical axis and a "program categories" horizontal axis.

Barrett is cited for showing a user profile interface that includes an altering mechanism allowing a value associated with viewer interest to be changed ... (See, Final Office Action, page 5, lines 3-8.) However, all Barrett really shows is an ability to alter a value of the user profile. This position is apparently not refuted by the Final Office Action (see, Final Office Action, page 2, last paragraph).

It is respectfully submitted that the interface of Claim 1 is not anticipated or made obvious by the teachings of Rosser in view of Barrett and Herz. For example, Rosser in view of Barrett and Herz does not disclose or suggest, an interface that amongst other patentable elements, comprises (illustrative emphasis provided) "a television viewer profile represented by weighted viewer preferences, different portions of which are selectable by traversing along at least one axis of the multiplicity of axes, wherein the weighted viewer preferences are represented along a plurality of axis that are different than the at least one axis of the multiplicity of axes, wherein the at least one axis of the

multiplicity of axis are provided within a same view as the television viewer profile" as required by Claim 1, and as substantially required by Claim 11.

Herz is cited for profiling mood and as such, does nothing to cure the numerous deficiencies in Rosser and Barrett. Alexander is introduced to reject a dependent claim and also does not cure the noted deficiencies.

Rzepkowski is cited for showing a user interface where user adjustable data is presented in a form of bar graphs (see, Office Action, page 9, second paragraph, and Rzepkowski, FIG. 8, Col. 11, lines 59-66). However, reliance for Rzepkowski showing "a position along the at least one axis of the multiplicity of axis operates to filter the data to provide values that correspond to the selected position ... (see, Final Office Action, page 9, second paragraph, lines 4-7) is misplaced. Rzepkowski makes clear that (emphasis added) "the special adjustment graphical user interface 540 can be used to provide fine-resolution adjustments ... (See, Col. 12, lines 28-30.) Thus, the Rzepkowski user interface is utilized for making adjustments similar to Barrett except that slider adjustments are provided. Similar adjustments are available from

the sliders between ranges 543, 545 (see, Col. 12, lines 45-51) and 547, 548 (see, Col. 12, lines 57-56). Accordingly, it is respectfully submitted that none of these adjustments enable a television viewer profile represented by weighted viewer preferences, different portions of which are selectable by traversing along at least one axis of the multiplicity of axes as required by the claims.

It is further respectfully submitted that the interface of Claim 23 is not anticipated or made obvious by the teachings of Rosser in view of Barrett, Herz and Rzepkowski. For example, Rosser in view of Barrett, Herz and Rzepkowski does not disclose or suggest, an interface that amongst other patentable elements, comprises (illustrative emphasis provided) "a television viewer profile represented by weighted viewer preferences that changes with respect to at least one axis of the multiplicity of axes, wherein the weighted viewer preferences are represented along a plurality of axis that are different than the at least one axis of the multiplicity of axes, wherein the at least one axis of the multiplicity of axis are provided within a same view as the television viewer profile, wherein the at least one of the

multiplicity of axes has an altering mechanism allowing a value associated with a position on the at least one axis to be changed along the at least one axis, and wherein a selection of the position along the at least one axis of the multiplicity of axes operates to filter the weighted viewer preferences to provide weighted viewer preferences that correspond to the selected position" as required by Claim 23.

Further, it is respectfully submitted that the television profile interface of Claim 26 is not anticipated or made obvious by the teachings of Rosser in view of Barrett, Herz and Rzepkowski. For example, Rosser in view of Barrett, Herz and Rzepkowski does not disclose or suggest, a television profile interface that amongst other patentable elements, comprises (illustrative emphasis provided) "a television viewer profile represented by weighted viewer preferences that proportionately change with respect to at least one axis of the multiplicity of axes, wherein the at least one of the multiplicity of axes has a profile view selecting mechanism that selects the profile view by traversing along the at least one axis, wherein at least one of the multiplicity of axes represents at least one activity not involved in viewing television

and the television viewer profile weighted viewer preferences have an activation mechanism that allows for viewer selection and manipulation of the television viewer profile weighted viewer preferences" as required by Claim 26, nor "television viewer profile represented by weighted viewer preferences in graphical form including a plurality of bar graphs, wherein the bar graphs change with respect to at least one axis of a multiplicity of axes, and wherein the at least one axis has a profile view selecting mechanism that selects the profile view without altering the television viewer profile by traversing along the at least one axis, said bar graphs being coupled to an access mechanism that allows for viewer selection and altering of weighted viewer preferences" as required by claim 29 and as substantially required by claim 31.

Accordingly, it is respectfully submitted that independent claims 1, 11, 23, 26, 29 and 31 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-6, 20-22, 24, 25, 27, 28, 30, 32, 33 respectively depend from one of Claims 1, 11, 23, 26, 29, 31 and accordingly are allowable for at least this reason as well as for

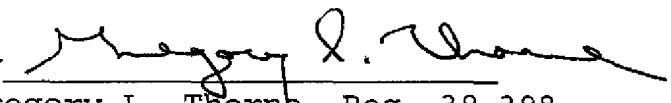
the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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